

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

SEP 18 2013

JULIA C. DUDLEY, CLERK
BY: 
DEPUTY CLERK

ROBERT J. COLLIER,) Case No. 7:13-cv-00104-JCT
Plaintiff,)
)

v.)
)

LAND & SEA RESTAURANT CO., LLC)
d/b/a FRANKIE ROWLAND'S)
STEAKHOUSE,)
Defendant/Third-Party Plaintiff,)
)

v.)
)

PERFORMANCE FOOD GROUP, INC.)
d/b/a PERFORMANCE FOOD)
SERVICE-VIRGINIA,)
Third-Party Defendant/)
Fourth-Party Plaintiff,)
)

v.)
)

WEAVER FRESH SEAFOOD &)
PRODUCE,)
Third-Party Defendant,)
)

v.)
)

SAM RUST SEAFOOD & PRODUCE,)
Fourth-Party Defendant.)
)

ORDER

By: James C. Turk
Senior United States District Judge

In accordance with the accompanying Memorandum Opinion entered this day, it is
hereby

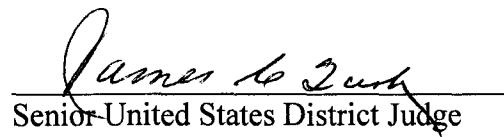
ADJUDGED and ORDERED

that Fourth-Party Defendant's Motion to Dismiss (ECF No. 40) is **GRANTED** and that the claim
in the Fourth-Party Complaint of Performance Food Group seeking common law indemnification
against Sam Rust Seafood & Produce is hereby **DISMISSED WITH PREJUDICE**.

The Clerk of the Court is directed to send a copy of this memorandum opinion and accompanying order to all counsel of record.

IT IS SO ORDERED.

ENTER: This 18th day of September, 2013.



Senior United States District Judge